REMARKS

Claims 1-11, 13-34, and 44-47 are pending in the present application. In the above amendments, claims 1, 25, and 44-47 have been amended and new claim 48 has been added. Therefore, after entry of the above amendments, claims 1-11, 13-34, and 44-48 will be pending in this application. Applicants believe that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

Claim Rejections – 35 USC § 103

Claims 1-3, 9, 11, 44, and 46 are rejected under 35 USC § 103(a) as being unpatentable over Epstein *et al.* (US 6,529,600 B1) in view of Pejhan *et al.* (US 6,850,564 B1), Dozier *et al.* (US 5,751,346), and Lemke *et al.* (US 4,339,775) as previously discussed in the last Office action as filed on 09/21/05. Applicants have amended the above claims to overcome this rejection.

Applicants respectfully submit that the cited references, singly or combined, do not disclose varying frame rate during generating image sequences (recording) based on real-time determination of motion on the surveilled location still during generating image sequences (recording), such that the generated video has a higher frame rate when motion is detected and lower frame rates when no motion is detected, as clearly claimed now. Specifically, none of the references is directed to solving the problem that the present invention is solving, i.e., "to minimize the bandwidth requirements of a transmission system," (Paragraph [0006]), by lowering frame rate for no or little motion detected during recording of original images.

On the contrary, Epstein discloses varying the display rate of image sequences after the original images are recorded. This method of post-processing of already recorded images is for the purpose of analyzing the image sequences displayed by a Projector, and not for minimizing the bandwidth requirements of a transmission system.

Pejhan discloses that if a client requests a recorded image sequence to be encoded at a new different rate the encoder re-encodes the image sequence at the new frame rate. (col. 3, lines 37-57). This method of post-processing of already recorded images is for the purpose of matching the bit rate of a communication channel used by the client (col, 2, line 64 to col. 3, line 2), and not for minimizing the bandwidth requirements of a transmission system.

Dozier discloses comparing image sequences for detecting substantial differences between sequential images for the purpose of deciding which image has to be saved, and not for minimizing the bandwidth requirements of a transmission system. There is no mention of varying recording rate of images based on real time motion detection.

Lemke discloses recording image sequences at a higher rate and playing back the recorded images at a lower rate for the purpose of "study[ing] fast moving phenomena in slow motion" (col. 1, lines 11-12), and not for minimizing the bandwidth requirements of a transmission system.

Therefore, since none of the cited references is directed toward solving the problem of the present invention, i.e., minimizing the bandwidth requirements of a transmission system, none discloses the claimed invention, and there is no suggestion or motivation of combining the cited references, Applicants respectfully request the Examiner to withdraw this rejection.

Claims 4-8 are rejected under 35 USC § 103(a) as being unpatentable over Epstein, Pejhan, Dozier, and Lemke as applied to claim 1 above, and further in view of Monroe (US 6,518,881 B2), as previously discussed in the last Office action as filed on 09/21/05. Applicants have amended the above claims to overcome this rejection.

For the same reasons stated above, Epstein, Pejhan, Dozier, and Lemke do not disclose or suggest the claimed limitations. Applicants respectfully submit that Monroe does not disclose or suggest what Epstein, Pejhan, Dozier, and Lemke fail to disclose. Therefore, Applicants respectfully request the Examiner to withdraw this rejection.

Claim 10 is rejected under 35 USC § 103(a) as being unpatentable over Epstein, Pejhan, Dozier, and Lemke as applied to claim 1 above, and further in view of Acosta *et al.* (US 6,166,729), as previously discussed in the last Office action as filed on 09/21/05. Applicants have amended the above claims to overcome this rejection.

For the same reasons stated above, Epstein, Pejhan, Dozier, and Lemke do not disclose or suggest the claimed limitations. Applicants respectfully submit that Acosta does not disclose or suggest what Epstein, Pejhan, Dozier, and Lemke fail to disclose. Therefore, Applicants respectfully request the Examiner to withdraw this rejection.

Claims 13-14 are rejected under 35 USC § 103(a) as being unpatentable over Epstein, Pejhan, Dozier, Lemke and Monroe as applied to claim 4 above, and further in view of Acosta, as previously discussed in the last Office action as filed on 09/21/05. Applicants have amended the above claims to overcome this rejection.

For the same reasons stated above, Epstein, Pejhan, Dozier, and Lemke do not disclose or suggest the claimed limitations. Applicants respectfully submit that Monroe and Acosta do not disclose or suggest what Epstein, Pejhan, Dozier, and Lemke fail to disclose. Therefore, Applicants respectfully request the Examiner to withdraw this rejection.

Claims 25-26, 28-29, 32-34, 45, and 47 are rejected under 35 USC § 103(a) as being unpatentable over Naidoo *et al.* (US 6,690,411 B2) in view of Epstein, Dozier, and Lemke as previously discussed in the last Office action as filed on 09/21/05. Applicants have amended the above claims to overcome this rejection.

Applicants respectfully submit that the cited references, singly or combined, do not disclose varying frame rate during generating image sequences (recording) based on real-time determination of motion on the surveilled location still during generating image sequences (recording), such that the generated video has a higher frame rate when motion is detected and lower frame rates when no motion is detected, as clearly claimed now. Specifically, none of the references is directed to solving the problem that the present invention is solving, i.e., "to minimize the bandwidth requirements of a transmission system," (Paragraph [0006]), by lowering frame rate during recording of original images.

On the contrary, Naidoo discloses capturing video at a first fixed frame rate and transmitting the compressed version of the video at a fixed second frame rate (col. 7, lines 42-44). This method of processing of already recorded images is for the purpose of verification of detected alarm events (col. 1, lines 10-20), and not for minimizing the bandwidth requirements of a transmission system.

Pejhan discloses that if a client requests a recorded image sequence to be encoded at a new different rate the encoder re-encodes the image sequence at the new frame rate. (col. 3, lines 37-57). This method of post-processing of already recorded images is for the purpose of matching the bit rate of a communication channel used by the client (col, 2, line 64 to col. 3, line 2), and not for minimizing the bandwidth requirements of a transmission system.

Dozier discloses comparing image sequences for substantial differences between sequential images for the purpose of deciding which image has to be saved, and not for minimizing the bandwidth requirements of a transmission system. There is no mention of varying recording rate of images based on real time motion detection.

Lemke discloses recording image sequences at a higher rate and playing back the recorded images at a lower rate for the purpose of "study[ing] fast moving phenomena in slow motion" (col. 1, lines 11-12), and not for minimizing the bandwidth requirements of a transmission system.

Therefore, since none of the cited references is directed toward solving the problem of the present invention, i.e., minimizing the bandwidth requirements of a transmission system, none discloses the claimed invention, and there is no suggestion or motivation of combining the cited references, Applicants respectfully request the Examiner to withdraw this rejection.

Claims 30-31 are rejected under 35 USC § 103(a) as being unpatentable over Naidoo, Epstein, Lemke, and Dozier as applied to claim 25 above, and further in view of Monroe. Applicants have amended the above claims to overcome this rejection.

For the same reasons stated above, Naidoo, Epstein, Lemke, and Dozier do not disclose or suggest the claimed limitations. Applicants respectfully submit that Monroe does not disclose or suggest what Naidoo, Epstein, Lemke, and Dozier fail to disclose. Therefore, Applicants respectfully request the Examiner to withdraw this rejection.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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